

EXHIBIT 59

Page 1

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION
4 ~~~~~

5 IN RE: NATIONAL PRESCRIPTION MDL No. 2804
6 OPIATE LITIGATION

7 Case No.
8 17-md-2804

9 Judge Dan Aaron
10 Polster

11 This document relates to:

12 The County of Cuyahoga v. Purdue Pharma, et
13 al., Case No. 17-OP-45004

14 City of Cleveland, Ohio v. Purdue Pharma L.P.,
15 et al., Case No. 18-OP-45132
16 The County of Summit, Ohio, et al. v. Purdue
17 Pharma L.P., et al., Case No. 18-OP-45090

18 ~~~~~
19 Videotaped Deposition of
20 GERALD CRAIG
21 January 11, 2018
22 9:12 a.m.

23 Taken at:
24 Jackson Kelley, PLLC
25 50 South Main Street, Suite 201
26 Akron, Ohio

Stephen J. DeBacco, RPR

<p style="text-align: right;">Page 266</p> <p>1 prescriptions of opioids share responsibility 2 for the epidemic in the county? 3 A. To what extent? 4 Q. I said for which years. 5 A. For which years? 6 Q. Uh-huh. 7 A. Their responsibility, I think, 8 again, is they've always been -- they've always 9 had a responsibility. I think their 10 responsibility, again, has been heightened as a 11 result of what we've experienced in our 12 community. 13 Q. Do you believe that the scientists 14 and medical doctors at the Food and Drug 15 Administration have responsibility for the 16 opioid epidemic in Summit County? 17 MS. KEARSE: Object to form. 18 A. I -- I don't know. I don't -- I 19 don't know enough about what their role is in 20 this that -- that I would be able to assign 21 them any level of responsibility. 22 Q. Do you know what the Food and Drug 23 Administration is? 24 A. Yes, I do. 25 Q. Do you know they approve</p>	<p style="text-align: right;">Page 268</p> <p>1 Food and Drug Administration in connection with 2 the opioid epidemic insofar as it concerns 3 Summit County or otherwise? 4 A. No, I don't. 5 Q. Do you know what the United States 6 Drug Enforcement Agency is? 7 A. Yes, I do. 8 Q. What is it? 9 A. It's the -- it's the agency that 10 looks at -- that enforces the laws around 11 medications and -- and also illicit drugs. 12 Q. What are the responsibilities of 13 the United States Drug Enforcement Agency in 14 connection with controlled substances? 15 A. I think they're -- I -- I'm not 16 sure, but I believe that they have an 17 investigative -- investigative role. 18 Q. Okay. What do you mean an 19 investig- -- investigative role? I'm not sure 20 either of us said that quite right. 21 A. They -- when they're -- when they 22 become aware or it's reported that there are 23 bad things happening with regard to these 24 drugs, that -- that they -- that they are 25 engaged to investigate.</p>
<p style="text-align: right;">Page 267</p> <p>1 medications for indicated uses? 2 A. Yes, I do. 3 Q. And do you know that the 4 prescription opioid medications that are at 5 issue in this matter all involved FDA-approved 6 medications? 7 A. Yes. 8 Q. Do you know anything about the 9 process by which the FDA reviews and approves 10 medications for use for approved indications? 11 A. I -- I do not. I -- I have a very 12 superficial knowledge. 13 Q. Do you know whether or not the Food 14 and Drug Administration has scientists and 15 medical doctors who have responsibility for 16 reviewing scientific data in reaching their 17 conclusions about whether drugs should be 18 approved and for what indications they should 19 be approved? 20 A. Yes. 21 MS. KEARSE: Object to form. 22 A. I'm sorry. Yes. 23 Q. You do know they have those people? 24 A. I do know they have those people. 25 Q. Do you have any criticism of the</p>	<p style="text-align: right;">Page 269</p> <p>1 Q. Have you ever heard of the 2 aggregate production quota? 3 A. No. 4 Q. Are you aware that the United 5 States Drug Enforcement Agency each year sets 6 an aggregate production quota of how -- how 7 many controlled substances pharmaceutical 8 manufacturers can make? 9 A. No, I'm not familiar with that. 10 Q. Never heard of that? 11 A. No. 12 Q. You don't know what the factors are 13 that inform the DEA's decision-making process 14 in determining what an annual aggregate 15 production quota should be for any particular 16 year? 17 MS. KEARSE: Object to form. 18 A. I -- I don't have any -- I'm not 19 familiar with this process. 20 Q. This is the first time you're 21 hearing about that, as we sit here today? 22 A. Yes. 23 Q. Do you know whether or not the DEA 24 sets annual aggregate production quotas in 25 connection with prescription opioids?</p>

<p>1 MS. KEARSE: Object to form.</p> <p>2 A. I don't know -- I didn't know that</p> <p>3 they exist, therefore, by extension, I don't --</p> <p>4 I'm not aware of any of their activities.</p> <p>5 Q. Do you know whether anybody on</p> <p>6 behalf of Summit County or the ADAMHS Board for</p> <p>7 Summit County has ever discussed with the DEA</p> <p>8 or representatives of the DEA the aggregate</p> <p>9 production quotas for prescription opioid</p> <p>10 medications for any particular year?</p> <p>11 MS. KEARSE: Object to form.</p> <p>12 A. I don't -- I don't know.</p> <p>13 Q. You're not aware of any such --</p> <p>14 A. I'm not.</p> <p>15 Q. -- communications?</p> <p>16 A. That's correct; I'm not aware.</p> <p>17 Q. Do you believe that the United</p> <p>18 States Drug Enforcement Agency has any</p> <p>19 responsibility for the opioid epidemic in the</p> <p>20 country or in Summit County?</p> <p>21 MS. KEARSE: Object to form.</p> <p>22 A. If you're asking me if they're</p> <p>23 responsible, they have -- they have a</p> <p>24 responsibility to address it. I don't know</p> <p>25 that they're necessarily responsible for the</p>	<p>Page 270</p> <p>1 you getting that information? Number two, what</p> <p>2 is your basis?</p> <p>3 MS. KEARSE: Object to form.</p> <p>4 A. So on behalf of -- I don't know if</p> <p>5 they buy the drugs from the pharmaceutical</p> <p>6 companies and then distribute them, or if they</p> <p>7 are contractually -- so I don't understand that</p> <p>8 aspect of it.</p> <p>9 So I guess what I was trying to</p> <p>10 say, I don't know how that happens, but I know</p> <p>11 that they are responsible for the distribution</p> <p>12 of those medications across the United States.</p> <p>13 Q. Do you know how they do that or</p> <p>14 based on what standards wholesale drug</p> <p>15 distributors deliver medicines to pharmacies?</p> <p>16 A. No. I've only -- I only know as</p> <p>17 much as I've read in -- in news accounts.</p> <p>18 Q. What news accounts have you read</p> <p>19 about the role of wholesale drug distributors</p> <p>20 in the delivery of health care in the United</p> <p>21 States?</p> <p>22 A. Just the -- just the various news</p> <p>23 stories about opiates and, you know, the</p> <p>24 inclusion of the distributors in that -- in</p> <p>25 that problem.</p>
<p>1 epidemic. You could kind of interpret that</p> <p>2 question in two different ways.</p> <p>3 Q. That's fair. I'm asking more about</p> <p>4 the latter, so let me just rephrase it.</p> <p>5 Do you, based on all that you know</p> <p>6 and all that you've investigated and all that</p> <p>7 you've learned about the opioid epidemic</p> <p>8 insofar as it concerns Summit County, place any</p> <p>9 blame for the opioid epidemic in the county at</p> <p>10 the feet of the United States Drug Enforcement</p> <p>11 Agency?</p> <p>12 A. No, no.</p> <p>13 Q. Do you know what the role of</p> <p>14 wholesale drug distributors are or is in the</p> <p>15 delivery of health care in the United States?</p> <p>16 A. Yes.</p> <p>17 Q. What is your understanding about</p> <p>18 the role of wholesale drug distributors in the</p> <p>19 delivery of health care in the United States?</p> <p>20 A. I think that -- that they receive</p> <p>21 or -- or are responsible on behalf of the</p> <p>22 pharmaceutical companies to manage the</p> <p>23 distribution of those drugs to communities.</p> <p>24 Q. When you say on behalf of the</p> <p>25 pharmaceutical companies, number one, where are</p>	<p>Page 271</p> <p>1 Q. What news reports have you read</p> <p>2 about that?</p> <p>3 A. Just general newspaper accounts.</p> <p>4 Q. Do you recall any particular</p> <p>5 newspaper reports on the role of wholesale drug</p> <p>6 distributors?</p> <p>7 A. No. And -- and the newspaper</p> <p>8 accounts that I've read have mentioned them.</p> <p>9 They're not necessarily about them. But</p> <p>10 I've -- I've read newspaper articles where the</p> <p>11 distributors were mentioned.</p> <p>12 Q. Have you seen any other news</p> <p>13 reports in print or other types of media about</p> <p>14 the role of wholesale drug distributors in</p> <p>15 connection with the opioid epidemic?</p> <p>16 A. In news reports you're asking me?</p> <p>17 Q. Yes. And I said in print or any</p> <p>18 other --</p> <p>19 A. Right.</p> <p>20 Q. -- form of media reports.</p> <p>21 A. In lots of -- you know, I do a lot</p> <p>22 of reading on the Internet and our local</p> <p>23 newspaper. So, yes, I have.</p> <p>24 Q. Okay. What is your understanding,</p> <p>25 based on those news reports, about the role of</p>

<p style="text-align: right;">Page 274</p> <p>1 wholesale drug distributors insofar as it does 2 or does not concern the opioid epidemic in 3 Summit County?</p> <p>4 A. Well, I guess probably the most -- 5 the most disturbing thing that I've read is 6 that there have been communities with very low 7 populations where, you know, they've received 8 exorbitant -- wildly exorbitant numbers of 9 prescription pain medications that would lead a 10 reasonable person to believe that nobody could 11 ever use that much medication at one time.</p> <p>12 And I believe that the account that 13 I'm referring to was a community in West 14 Virginia.</p> <p>15 Q. Do you have any firsthand knowledge 16 about the amounts or volumes of prescription 17 opioids that have been delivered to pharmacies 18 by wholesale drug distributors in any 19 particular geographic region?</p> <p>20 A. I do not.</p> <p>21 Q. You're basing that on some news 22 reports that you saw?</p> <p>23 A. I'm basing that on -- on the things 24 that I've read, yes.</p> <p>25 Q. And you haven't conducted any</p>	<p style="text-align: right;">Page 276</p> <p>1 know about Cardinal Health?</p> <p>2 A. Cardinal Health has been involved 3 with a lot of the activities in Ohio in 4 particular, which is what -- where I'm mostly 5 familiar with is the work that they've done 6 with some of our -- our local agencies funding 7 some of the programs and services.</p> <p>8 Q. What specific services or programs 9 has Cardinal Health funded in the community?</p> <p>10 A. I'm not familiar with all of them, 11 but I do know that they funded a prevention 12 program, for example, in one of the agencies in 13 our community, and they had provided some 14 funding to our -- our board association, and as 15 part of the -- our work that we've done through 16 the opiate conference.</p> <p>17 Q. And -- and the prevention program 18 that you had in mind, was that related to 19 opioids?</p> <p>20 A. Not sure if it was related to 21 opioids or if it was more of a general 22 prevention program.</p> <p>23 Q. Based on your own understanding, do 24 you believe that Cardinal Health is responsible 25 in any way for the opioid epidemic insofar as</p>
<p style="text-align: right;">Page 275</p> <p>1 analysis of your own to try and understand the 2 role of wholesale drug distributors in 3 connection with the delivery of prescription 4 opioids to pharmacies. Is that fair?</p> <p>5 A. That's fair. That would be 6 somewhat outside the scope of my realm of -- 7 of -- I mean, in order for me to do something 8 about it, I might -- that -- if I felt that 9 there was a role that I could play in that, I 10 might take more of an interest in it, but I 11 didn't feel like it was something I needed to 12 study.</p> <p>13 Q. Okay. Do you have any firsthand 14 knowledge of the systems that wholesale drug 15 distributors use to detect and prevent 16 diversion of controlled substances?</p> <p>17 A. Am I aware of systems that they 18 use? No, I'm not.</p> <p>19 Q. Have you ever looked into that?</p> <p>20 A. No. I've never -- I've never 21 sought that information, no.</p> <p>22 Q. Okay. Have you ever heard of 23 Cardinal Health?</p> <p>24 A. I have heard of Cardinal Health.</p> <p>25 Q. What have you heard? How do you</p>	<p style="text-align: right;">Page 277</p> <p>1 it concerns Summit County?</p> <p>2 MS. KEARSE: Object to form.</p> <p>3 A. I would have no way of knowing 4 that.</p> <p>5 Q. Have you ever heard of McKesson?</p> <p>6 A. Yes, I have.</p> <p>7 Q. What do you know about McKesson?</p> <p>8 A. I -- I know that it's a drug 9 distribution company.</p> <p>10 Q. Beyond that do you know anything --</p> <p>11 A. No.</p> <p>12 Q. -- about them?</p> <p>13 A. No.</p> <p>14 Q. The question I asked about whether 15 or not Cardinal, in your view, has 16 responsibility in any way for the opioid 17 epidemic in Summit County, would your answer be 18 the same with respect to McKesson, 19 AmerisourceBergen, and any other wholesale drug 20 distributors?</p> <p>21 A. I would have no way of knowing.</p> <p>22 Q. You have no way of knowing whether 23 or not --</p> <p>24 A. Whether they were responsible.</p> <p>25 Q. And why is that?</p>